UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 10/067,350
Filing Date: February 07, 2002
Appellant(s): FUJII ET AL.

Edward W. Tracy, Jr.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 10/17/2008 appealing from the Office action mailed

7/17/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The appellant statement indicating that US patent application 10/067,304 also under appeal is not correct. The '304 application is currently pending with an outstanding office action issued on 9/19/08.

The following are the related appeals, interferences, and judicial proceedings known to the examiner which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal:

US patent application 10/067,310 is also under appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

| 20020071540 | Dworkin | 6-2002 |
| 6363352 | Dailey et al | 3-2002 |

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent application publication 2002/0071,540 (Dworkin) in view of US patent 6,363,352 (Dailey et al).

Note: The '352 patent was cited in form 892 of previous Office action.

- As for claims 1, 4-6: Dworkin teaches a computer implemented system and corresponding method for managing a first service of distributing contents in real-time according to a reservation made in advance by a first terminal, and, to a plurality of participant terminals 106, 108 (0015, 0019, 0027) for requesting the use of first service and the use of a second service of providing a chat space (0002-0008, 0015-0019), comprising the means/steps for:

    acquiring means configured to acquire reservation information, sent by the first terminal, to the information processing apparatus from a reservation database in order to provide the first service (0023, 0027) to the plurality of participant terminals (0015, 0016, 0025), the plurality of participant terminals receiving a distribution notice in accordance with the participants addresses of the reservation (0027),

    a reservation information providing unit ASP 110 configured to provide the conferee terminals information including shared authentication data (all user share the same chat room password and only one single password is being used to

access all other services (0026, 0028)), a description of the first service,

scheduling information and hyperlink data of a webpage of a user of a first

terminal (0002-0008, 0015-0019. See also Dailey's 2:26-29).

generating means configured to generate the chat space corresponding to the

reservation at scheduled distribution start time designated by the reservation

(0019-0021, 0025-0028),

authentication means for authenticating participant terminals by the use of

authenticating data used by the server to authenticate the participant terminals

(0018, 0024, 0026, 0028). Per Dworkin, all user share the same chat room

password (i.e., shared password. See applicant's spec, page 8, lines 6-7), and only

one single password is being used to access all other services (0026, 0028), thus it

appears that Dworkin disclosure implicitly includes shared authentication data.

Even if it is not, shared authentication data is well known in the art of access

control (see citations below). It would have been obvious to one of skill in the art,

at the time the invention was made, to combine the well known implementation of

shared authentication data to Dworkin. Motivation of the combining is for

reducing computational processing, e.g., one single password to all participants

for accessing the chat room, and/or using one single password for accessing all

different services.

providing means for providing the chat space to all conference participants and

the first service to the participant terminals designated to be distributed by the

first terminal (0016, 0024, 0025, 0027).

Although Dworkin teaches sending distribution notice to conferees (0027) and that conferees may communicate through email (abstract, fig. 3), it appears Dworkin implicitly includes sending the distribution notice to conferees in accordance with conferees email address. Even if it is not, in the same field of virtual conferencing, Dailey et al teach sending distribution notice to conferees through email address (Dailey's figure 5). The distribution notice includes a hyperlink data of a webpage of a user of a first terminal (Dailey's 2:26-29). It would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of sending distribution notice to conferees via email to Dworkin. Motivation of the combining is for the obvious advantage of having a pre-established, quick and reliable email communication protocol.

In light of the combining, designated participants are notified and connected to scheduled conferences (Dworkin's 0027) via email (Dworkin's fig. 3, Dailey's fig 5). Per Dailey, the notifier (distribution notice) include a description of the first service 1432, 1436, 1442, scheduling information 1450, 1454 and hyperlink data 1442, 1918, 1920 (figs 5, 6, 10), and network address of the host (3:37-60). Shared authentication (chat room password, log-in access are shared authentication service provided by the ASP) are provided for protecting access to the conference room by others and allowing only authorized user to enter a reserved conference (Dworkin's 0016, 0018, 0026, 0028). Dworkin discloses in fig. 3 a fully conference support web page which includes an Email service 150, Instant Message service 160, Conference window service 156, and

authentication service (0018, lines 1-6). Thus it appears that Dworkin implicitly includes sending the notification with authentication data to the participant terminals (since both Email service and authentication service are in the same web page). Even if it is not, it would have been obvious to one of skill in the art at the time the invention was made, to implement sending the notification with authentication data to the participant terminals for informing the upcoming reserved conference.

Although Dworkin teaches generating the chat space at scheduled time (0026), Dworkin fails to clearly teach that the chat space is generated at predetermined time "prior" to a distribution start time. However Dailey teaches generating the chat space at predetermined time "prior" to a distribution start time (3:23-33, 5:28-43). Since the chat space must be available at scheduled time for customer satisfaction, it would have been obvious to one of skill in the art, at the time the invention was made, to combine Dailey's teaching of generating the chat space at predetermined time "prior" to a distribution start time. Motivation of the implementation is for avoiding schedule confliction and overlapping.

In light of the combining, the chat space and the first service are provided simultaneously (in the same web page) to conferees via actuation of the hyperlink 1920, 1926 (Dailey's figure 10) in accordance with the scheduling information of the distribution notice. The providing unit delivering simultaneous access (all in the same web page) to the chat space and first service upon authentication of the shared authentication data at the information processing apparatus.

- As for claims 2, 3: The first service is a service for distributing contents sent according to a reservation made in advance, to the terminal in real-time (0004, 0008, 0016-0018), and the second service is a service for providing a chat space corresponding to the reservation for the terminal (0002-0008, 0015-0019).

- As for claim 7: The first service is a service for distributing multimedia content (0023, 0027) from a first terminal to other participants (0015, 0016). Dworkin is silent regarding distributing of the multimedia content uni-bidirectionally. However such implementation would have been obvious to one of skill in the art since the conference initiator is the only one who has and needs to distribute the content.

- As for claim 8: The multimedia content includes video content (0014, 0023, 0032).

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references disclose the well known implementation of shared authentication (previously cited):

US patent 7,010,582, fig. 1.

US patent 7,272,397, fig 3.

US patent 7,003,481, Summary of the Invention.

US patent application publication 2002/0048268

US patent application publication 2002/0007452, fig. 8.

(10) Response to Argument

The Dworkin reference: Dworkin discloses a system/method for hosting a conference. A user or group of users leases conferencing facilities from a host application service provider (ASP). The host ASP provides conference hardware and software, and an interface to users. Users access the host ASP via dial-in or web-based interface to reserve a conference, administer a conference remotely. The host ASP provides instant message, email, voice mail, calendar, billing and tracking, wireless communication facilities (0003), shared authentication data (0026, 0028) to members of the conference. The host ASP includes a bank of conference services. The host allocates conference services to a user interface in response to the user request, to enable transmission and reception of conference data (0004). Conference data include command data and audio/video data (0005). The user interface and the host exchange conference data over the Internet. The user interface comprises a web-based interface having a web page generated by the host (0007). Conferees receive distribution notice according to reserved addresses (0027). Conferees are provided a conference web page having email service, IM service, conference window service, and authentication service (0016, 0018, 0024-0027). A chat space is generated at scheduled time (0026). Dworkin does not clearly teach that the chat space is generated at a predetermined time _prior_ to scheduled time. However generating the chat space at a predetermined time prior to scheduled time is disclosed by Dailey et al. as set forth below.

The Dailey et al reference: In the same field of conferencing, Dailey et al teach a system/method for scheduling a conference and automatically making the required connection near the conference scheduled time (abstract, 3:23-33, 5:28-43). Distribution notices are sent to conferees according to conferees' email addresses. The distribution notice includes a description

of a first service 1432, 1436, 1442, scheduling information 1450, 1454, and hyperlink data 1442, 1918, 1920 of a web page of a first user (2:26-29, 3:37-60, figs 5, 6, 10). A chat space and the first service are provided simultaneously to conferees via actuation of hyperlinks 1920, 1926 in accordance to scheduled information of the distribution notice. The chat space is generated at predetermined time prior to scheduled conference time (abstract, 3:23-33, 5:28-43).

As noted above, Dworkin does not clearly teach that the chat space is generated at a predetermined time prior to scheduled time. However generating the chat space at a predetermined time prior to scheduled time is disclosed by Dailey et al. It would have been obvious to one of skill in the art, at the time the invention was made to combine Dailey's teaching of generating the chat space at a predetermined time prior to scheduled time to Dworkin. Motivation of the combining is for avoiding schedule confliction and overlapping.

The arguments: The appellants argue that the combined Dworkin&Dailey does not teach hyperlink data of a web page of a user of a first terminal. In response to the argument, Dworkin teaches conferees gain access to the host ASP through a web site provided by the host ASP (0018). In case of group-user, the host user ("first user") is responsible for creating and maintaining his/her own web page and providing access to group members (0019). An URL is provided for conferees to receive publishing service (0028). Thus it appears that hyperlink data of a web page of the first user is implicitly included in Dworkin's teaching of gaining access to the group host user web page and the URL for publishing service. Even if it is not, hyperlink data of a web page of the first user is disclosed by Dailey wherein conferees access to network address of the meeting host computer (2:26-29, 3:37-50). The appellants argue that the email address and network address are not hyperlink. In response to the argument, the host's network

address is registered together with the host's email address. Based on the meeting host's email address, the host's network address is identified and provides access to the virtual meeting to conferees. Thus the host's email address is data that links conferees to the meeting, equivalent to a hyperlink. Dailey further discloses hyperlinks 1918 and 1920 for starting a Net meeting and opening an items. The hyperlinks 1918 and 1920, as combined with Dworkin, also provide access to the host's web page.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Ba Huynh

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